

ORIGINAL

In the United States Court of Federal Claims

No. 10-683C

(Filed February 12, 2014)

NOT FOR PUBLICATION

FILED

FEB 12 2014

KAY L. ROGERSON,

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**U.S. COURT OF
FEDERAL CLAIMS**

Plaintiff,

*

v.

*

THE UNITED STATES,

*

Defendant.

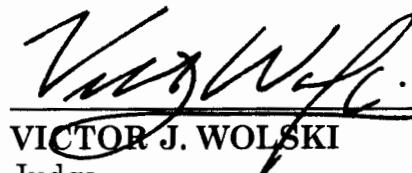
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ORDER

On February 10, 2014, the Clerk's Office received a document submitted by plaintiff with the title "Request for Default Judgment." Plaintiff mistakenly (though perhaps understandably, as she is proceeding without the assistance of counsel) believes that defendant's decision not to file an optional response to plaintiff's supplement to her reply brief, *see* Order (Dec. 27, 2013), amounts to a default. This, however, is not correct. *See* Rule 55 of the Rules of the United States Court of Federal Claims; *Alli v. United States*, 93 Fed. Cl. 172, 178-79 (2010). The government has defended itself in this matter, opposing plaintiff's motion for summary judgment and moving for a dismissal, and thus plaintiff's request is **DENIED**. To the extent material in plaintiff's supplement is relevant to the pending dispositive motions, it will be considered by the Court in the context of resolving those motions.

IT IS SO ORDERED.



VICTOR J. WOLSKI
Judge